UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

GENERAL COMMITTEE
1st meeting
held on
Wednesday, 19 September 1990
at 10 a.m.
New York

SUMMARY RECORD OF THE 1st MEETING

Chairman: Mr. de MARCO
(President of the General Assembly)

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ORGANIZATION OF THE FORTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY, ADOPTION OF THE AGENDA AND ALLOCATION OF ITEMS: MEMORANDUM BY THE SECRETARY-GENERAL

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Distr. GENERAL
A/BUR/45/SR.1
26 September 1990

ORIGINAL: ENGLISH

90-55933 2584S (E)

The meeting was called to order at 10.20 a.m.

ORGANIZATION OF THE FORTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY, ADOPTION OF THE AGENDA AND ALLOCATION OF ITEMS: MEMORANDUM BY THE SECRETARY-GENERAL (A/BUR/45/1 and Add.1)

Section I. Introduction

1. The Committee decided to draw the General Assembly's attention to the provisions reproduced in annexes V, VI and VII of its rules of procedure.

Section II. Organization of the session

2. The Committee took note of paragraph 4 of the Secretary-General's memorandum (A/BUR/45/1).

Paragraphs 5 to 8 (Rationalization of work)

3. The Committee took note of paragraphs 5 to 8 of the Secretary-General's memorandum and decided to draw the General Assembly's attention to recommendations 2, 3 and 7 of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations; it also decided to recommend that the holding of concurrent meetings of the Special Political Committee and the Fourth Committee should be avoided.

Paragraph 9 (Closing date of the session)

4. The Committee decided to recommend to the General Assembly that the Assembly should recess on 18 December 1990 and close on 16 September 1991.

Paragraphs 10 to 12 (Schedule of meetings)

5. The Committee decided to recommend to the General Assembly that, as a cost-saving measure, morning meetings should start at 10 a.m. for all plenary meetings and meetings of the Main Committees. The Committee also decided to recommend that, in order to avoid the late start of meetings and as a cost-saving measure, the General Assembly should waive the quorum requirements for plenary meetings and meetings of the Main Committees, on the understanding that such a waiver would not involve any permanent change in the provisions of rules 67 and 108 of the rules of procedure pertaining to the opening of meetings.

6. The Committee further decided to recommend that delegations should be reminded of the utmost importance of punctuality in the interest of ensuring an effective and orderly organization of work and achieving economies for the United Nations.

Paragraphs 13 to 15 (General debate)

7. The Committee endorsed the suggestions in paragraphs 13 and 14 of the Secretary-General's memorandum.

8. The CHAIRMAN said that, in view of the large number of delegations already inscribed on the list of speakers for the general debate in the General Assembly, representatives were urged to speak in the order listed. Those unable to speak at the scheduled time would be put at the end of the list for the same day.

9. The Committee decided to draw the General Assembly's attention to paragraph 15 and to recommend that the provision prohibiting the practice of expressing congratulations in the Assembly Hall should apply during the forty-fifth session. In that connection, it also decided to recommend to the General Assembly that speakers in the general debate should be asked to exit the Assembly Hall through Room GA-200 located behind the podium before returning to their seats.

Paragraphs 16 and 17 (Explanations of vote, right of reply and length of statements)

10. The Committee decided to draw the General Assembly's attention to paragraphs 6, 7 and 8 of its decision 34/401 and to rules 72 and 114 of the rules of procedure and paragraph 22 of annex VI thereto, for appropriate action to be taken by the Assembly in plenary meeting and by the Main Committees.

Paragraph 18 (Records of meetings)

11. The Committee decided to recommend that the General Assembly should adopt the suggestions in paragraph 18 of the Secretary-General's memorandum.

Paragraph 20 (Concluding statements)

12. The Committee decided to draw the General Assembly's attention to the need for full implementation of paragraph 17 of decision 34/401.

Paragraphs 21 and 22 (Questions related to the programme budget)

13. The Committee decided to draw the General Assembly's attention to the provisions reproduced in paragraphs 21 and 22 of the Secretary-General's memorandum.

Paragraphs 23 and 24 (Documentation)

14. The Committee decided to draw the General Assembly's attention to paragraph 28 of decision 34/401; it took note of the recommendation in paragraph 24 of the Secretary-General's memorandum.

Paragraphs 25 and 26 (Resolutions)

15. The Committee decided to draw the General Assembly's attention to paragraph 32 of its decision 34/401 and to recommendation 3 (f) of the Group of High-level Intergovernmental Experts.

READEX FICHE

Paragraphs 27 and 28 (Special conferences)

16. The Committee decided to draw the General Assembly's attention to the recommendations referred to in paragraphs 28 and 29 of the Secretary-General's memorandum.

Paragraph 29 (Meetings of subsidiary organs)

17. The CHAIRMAN said that the General Assembly had already taken action on the request by the Chairman of the Committee on Conferences regarding the Ad Hoc Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade and the Committee for Programme and Co-ordination.

18. The Committee decided to recommend that the General Assembly should authorize the remaining six subsidiary organs referred to in paragraph 29 of the Secretary-General's memorandum to meet during the forty-fifth session.

Section III. Adoption of the agenda

19. The CHAIRMAN said that, in accordance with rule 40 of the rules of procedure, the Committee would not consider the substance of any item except in so far as it bore on the question of whether or not to recommend the inclusion of that item in the agenda.

20. He also drew attention to the fact that the General Assembly, at its forty-fourth session, had decided to delete item 43, entitled "Question of Namibia", and item 17 (i), entitled "Appointment of the United Nations Commissioner for Namibia", from the provisional agenda of the forty-fifth session. He said that the draft agenda consisted of 157 items.

21. The Committee took note of paragraph 31 of the Secretary-General's memorandum.

Inclusion of items

Items 1 to 6

22. The CHAIRMAN said that items 1 to 6 had already been considered; he would therefore take it that there were no comments on their inclusion in the agenda.

Items 7 to 22

23. The Committee decided to recommend that the General Assembly should include items 7 to 22 in the agenda.

Items 23 to 26

24. The Committee decided to recommend that the General Assembly should include items 23 to 26 in the agenda.

Item 27

25. Mr. BLANC (France) expressed regret that the Committee was again considering the inclusion of item 27. Discussion by the Assembly of the question of the island of Mayotte would constitute a violation of Article 2, paragraph 7, of the Charter of the United Nations since the island was under French sovereignty. Moreover, France and the Comoros regularly reviewed the question together within the framework of the close relations between those two countries. Their most recent consultations had taken place in June 1990, when the President of the French Republic had visited the Comoros.

26. The Committee decided to recommend that the General Assembly should include item 27 in the agenda.

Items 28 to 31

27. The Committee decided to recommend that the General Assembly should include items 28 to 31 in the agenda.

Item 32

28. The CHAIRMAN said that, after consultations with the original sponsors of the item, it had been proposed that the title of the item should be amended to read "The situation in Cambodia".

29. The Committee decided to recommend that the General Assembly should include item 32, as amended, in the agenda.

Items 33 to 35

30. The Committee decided to recommend that the General Assembly should include items 33 to 35 in the agenda.

Item 36

31. The CHAIRMAN said that, after consultation with the sponsor of the item, it had been proposed that the Assembly should defer consideration of the item and include it in the provisional agenda of its forty-sixth session.

32. The Committee decided to recommend that consideration of item 36 should be deferred to the forty-sixth session of the General Assembly and that the item should be included in the provisional agenda of that session.

Items 37 to 45

33. The Committee decided to recommend that the General Assembly should include items 37 to 45 in the agenda.

Items 46 to 55

34. The Committee decided to recommend that the General Assembly should include items 46 to 55 in the agenda.

Items 57 to 67

35. The Committee decided to recommend that the General Assembly should include items 57 to 67 in the agenda.

Items 68 to 71

36. The Committee decided to recommend that the General Assembly should include items 68 to 71 in the agenda.

Items 72 to 78

37. The Committee decided to recommend that the General Assembly should include items 72 to 78 in the agenda.

Item 79

38. Mr. PEERJHUM (Mauritius) said that the French and Mauritian authorities had decided to intensify their consultations on the question. In the light of that development, and on the basis of consultations among the French, Malagasy and Mauritian delegations, he wished to propose that the General Assembly should defer consideration of item 79 until the forty-sixth session.

39. The Committee decided to recommend that consideration of item 79 should be deferred to the forty-sixth session of the General Assembly and that the item should be included in the provisional agenda of that session.

Items 80 to 117

40. The Committee decided to recommend that the General Assembly should include items 80 to 117 in the agenda.

Item 118

41. Mr. BLANC (France) said that, in his progress report on the question of East Timor (A/45/507), the Secretary-General indicated that the talks between Indonesia and Portugal on the subject of East Timor were proceeding in a positive manner and that a group of Portuguese parliamentarians had been invited by Indonesia to visit East Timor. In the light of such constructive developments, he proposed that the General Committee should recommend that the General Assembly should defer consideration of the item to its forty-sixth session.

42. Mr. THOMPSON (Fiji) supported the proposal made by the representative of France.

43. The Committee decided to recommend that consideration of item 118 should be deferred to the forty-sixth session of the General Assembly and that the item should be included in the provisional agenda of that session.

Items 119 to 137

44. The Committee decided to recommend that the General Assembly should include items 119 to 137 in the agenda.

Items 138 to 140

45. The Committee decided to recommend that the General Assembly should include items 138 to 140 in the agenda.

Item 141

46. The CHAIRMAN said that the General Assembly had received a letter dated 17 September 1990 from the Permanent Representative of Romania (A/45/511) requesting that consideration of item 141 should be deferred and that the item should be included in the provisional agenda of the forty-sixth session of the General Assembly.

47. The Committee decided to recommend that consideration of item 141 should be deferred to the forty-sixth session of the General Assembly and that the item should be included in the provisional agenda of that session.

Items 142 to 150

48. The Committee decided to recommend that the General Assembly should include items 142 to 150 in the agenda.

49. The CHAIRMAN said that the inclusion of item 151 had been requested by Guatemala (A/45/143 and Corr.1). The representative of Guatemala had asked to participate in the discussion of the item in accordance with rule 43 of the rules of procedure.

50. At the invitation of the Chairman, Mr. Villagrán de León (Guatemala) took a place at the Committee table.

51. Mr. VILLAGRAN DE LEON (Guatemala) said that conciliation as a means of settling international disputes had not been particularly effective. In that regard, conciliation did not differ much from the other means for settling disputes set out in Article 33 of the Charter of the United Nations. Nevertheless, his delegation believed that there were opportunities for improving the conciliation process. The many existing bilateral, multilateral and regional conciliation agreements were far from being satisfactory models for States wishing to adopt ad hoc conciliation agreements. Neither the existing bilateral agreements, which

(Mr. Villagrán de León, Guatemala)

were almost all very old and not easily accessible, nor the provisions concerning conciliation contained in multilateral treaties took account of the useful work carried out in 1961 by the Institute of International Law. Moreover, the provisions on conciliation contained in multilateral agreements were clearly incomplete.

52. For those reasons, the Government of Guatemala believed that the General Assembly should adopt a resolution in which it recommended a set of model norms for conciliation which, in addition to tying up loose ends, would take account of the work of the Institute of International Law. Those ideas had inspired Guatemala in its preparation of the draft resolution contained in document A/45/143 and, in particular, the two appendices to the draft, the first of which contained the model norms, while the second contained an explanatory commentary on the application of the United Nations rules for the conciliation of disputes between States. The rules went beyond the recommendations of the Institute and provided for a procedure which would make use of a sole conciliator. The rules accorded an important role to the Secretary-General of the United Nations, and that was in keeping with current efforts to enhance the role of the Secretary-General in the settlement of disputes.

53. The draft resolution which Guatemala would introduce in the Sixth Committee would be a considerable improvement over its initial draft resolution on conciliation.

54. The Committee decided to recommend that the General Assembly should include item 151 in the agenda.

55. Mr. Villagrán de León (Guatemala) withdrew.

Items 152 and 153

56. The Committee decided to recommend that the General Assembly should include items 152 and 153 in the agenda.

Item 154

57. The CHAIRMAN said that the inclusion of item 154 had been requested by Costa Rica (A/45/192). The representative of Costa Rica had asked to participate in the discussion of the item in accordance with rule 43 of the rules of procedure.

58. At the invitation of the Chairman, Mr. Borbón (Costa Rica) took a place at the Committee table.

59. Mr. BORBON (Costa Rica) said that the Government of Costa Rica attached great importance to the work of the University for Peace and believed that it was necessary to draw attention to the tenth anniversary of its establishment by General Assembly resolution 35/55. In its first 10 years of activities, the University for Peace had proven its worth by developing programmes and courses which had had a decisive effect on the formation of attitudes favourable to peace.

(Mr. Borbón, Costa Rica)

His delegation intended to distribute in the near future a draft resolution for consideration and adoption by the General Assembly. He requested that the item should be allocated to the plenary Assembly.

60. The Committee decided to recommend that the General Assembly should include item 154 in the agenda.

Items 155 and 156

61. The Committee decided to recommend that the General Assembly should include items 155 and 156 in the agenda.

Item 157

62. The CHAIRMAN said that the inclusion of item 157 had been requested by Kuwait. The representative of Kuwait had asked to participate in the discussion of the item in accordance with rule 43 of the rules of procedure.

63. At the invitation of the Chairman, Mr. Abulhasan (Kuwait) took a place at the Committee table.

64. Mr. ABULHASAN (Kuwait) said that, at its forty-fifth session, the General Assembly would have to address grave issues posing a threat to international peace and security. The past seven weeks had witnessed a unique occurence that was unprecedented in the history of the United Nations and one that had shaken the foundations on which international relations were built, namely Iraq's aggression against Kuwait, its complete occupation and annexation of the country and its use of the most infamous methods for the oppression, intimidation, plunder and expulsion of its peaceable people in a planned attempt totally to obliterate the country's identity and existence.

65. The international community had also given expression in an unprecedented manner to its condemnation of that aggression, which constituted a shattering blow to the Charter of the United Nations. After careful study of the matter in all its aspects and taking into account the continued Iraqi aggression and the expansion of its malicious goals, his Government had deemed it appropriate to request the inclusion of an additional item in the agenda of the General Assembly, as set forth in document A/45/233. As a result of intensive consultations following its submission of the request and in the light of the universal consequences of that grave act of aggression and of the fact that it represented a flagrant violation of the letter and spirit of the Charter, his delegation would like to change the wording of the item to read:

> "Iraqi aggression and the continued occupation of Kuwait in flagrant violation of the Charter of the United Nations".

66. In submitting its request for the inclusion of the additional item, his delegation had based itself on the provisions of Articles 10 and 11 of the Charter. At the same time, it was fully aware of the provisions of Article 12. For that

(Mr. Abulhasan, Kuwait)

reason, as could be seen from the explanatory memorandum annexed to the request for the inclusion of an additional item, his delegation made no recommendation and submitted no draft resolution on the item at the current stage. It reserved the right to request that the item should be discussed in the Assembly at an appropriate time to be determined in consultation with the Chairman of the General Committee and without prejudice to the requirements of Article 12 of the Charter.

67. His delegation had also requested that the item should be accorded the necessary priority in the belief that, while the Assembly had before it a crowded agenda, the serious character of the aggression, its consequences and the fact that it represented a continuing threat warranted the according of such priority if that should become necessary. That would, of course, take place in consultation with the Chairman of the General Committee.

68. His delegation, in submitting the request, was fully confident that it would receive the full endorsement of the members of the General Committee in line with the support and understanding that Kuwait had received from the Members of the United Nations since the beginning of the aggression and that a clear message would be sent to the Iraqi régime to the effect that it was internationally isolated, that it was violating international peace and security and that it was a danger to the United Nations and to the principles and the Charter of the Organization.

69. Mr. RANA (Nepal) said that the crisis in the Persian Gulf region had come at a time when hopes for a new era in international relations were high. The Security Council had reacted swiftly and firmly to Iraq's flagrant violation of the principles of the Charter of the United Nations and the norms of inter-State relations, and it continued to give high priority to the matter. However, since the situation was of concern to all delegations, Nepal supported Kuwait's request and urged that the General Assembly should consider the item on a priority basis.

70. Mr. MAKKAWI (Lebanon) said that his delegation associated itself with the statements made by the representatives of Kuwait and Nepal. Lebanon fully supported the inclusion of the item, which should be accorded the highest priority in order to enable States which had not yet done so to express their views on the crisis and to help ensure the complete and unconditional withdrawal of Iraq from Kuwait.

71. Mr. MOUSSA (Egypt) said that the invasion of Kuwait had serious global ramifications, and could adversely affect international relations and the international legal system, which provided for respect for the territorial integrity of States, a principle which had been violated by the invasion of Kuwait.

72. The Security Council had lived up to its responsibilities, but all members of the international community should be afforded the opportunity to express their views against violation of the sovreignty of States. The delegation of Egypt therefore supported the request of Kuwait for the inclusion of that item in the agenda.

73. Mrs. DIALLO (Senegal) said that her delegation also wished to join in the expression of solidarity with Kuwait and to support the request that the item should be included in the agenda and be granted the highest priority.

74. The Committee decided that item 157, as revised, should be included in the agenda.

75. Mr. Abulhasan (Kuwait) withdrew.

Section IV. Allocation of items

Paragraph 33

76. The Committee decided to draw the General Assembly's attention to paragraph 4 of its decision 34/401.

Paragraph 34

77. The CHAIRMAN drew the Committee's attention to six items of the draft agenda which had not been considered by the General Assembly. He invited the Committee to consider the recommendations it should make regarding the allocation of those items.

78. He said that the sponsor of item 150 had proposed that the item should be allocated to the Sixth Committee.

79. The Committee decided to recommend to the General Assembly that item 150 should be allocated to the Sixth Committee.

80. The CHAIRMAN said that the sponsor of item 151 had proposed that the item should be allocated to the Sixth Committee.

81. The Committee decided to recommend to the General Assembly that item 151 should be allocated to the Sixth Committee.

82. The CHAIRMAN said that the sponsors of item 153 had proposed that the item should be considered directly in plenary meeting.

83. The Committee decided to recommend to the General Assembly that item 153 should be considered directly in plenary meeting.

84. The CHAIRMAN said that the sponsor of item 154 had proposed that the item should be considered directly in plenary meeting.

85. The Committee decided to recommend to the General Assembly that item 154 should be considered directly in plenary meeting.

86. The CHAIRMAN said that the sponsor of item 155 had proposed that the item should be considered in plenary meeting.

87. The Committee decided to recommend to the General Assembly that item 155 should be considered directly in plenary meeting.

88. The CHAIRMAN said that the sponsors of item 155 had also proposed that the ceremony should be held on 1 October 1990 in order to allow the Declaration and Plan of Action for the Summit for Children to be appropriately acknowledged by the plenary.

89. The Committee decided that the ceremony for the presentation of the Declaration and Plan of Action adopted by world leaders at the World Summit for Children should be held on 1 October 1990.

90. The CHAIRMAN said that the sponsor of item 157 had proposed that the item should be considered directly in plenary meeting.

91. The Committee decided to recommend to the General Assembly that item 157 should be considered directly in plenary meeting.

92. The CHAIRMAN said that the sponsor of item 157 had also proposed that that item should be considered as a matter of priority.

93. The Committee decided to recommend to the General Assembly that item 157 should be considered in plenary meeting as a matter of priority.

Paragraph 35

94. The CHAIRMAN proposed that, in the light of the decision by the General Committee to recommend the inclusion of item 156 (Critical economic situation in Africa) in the agenda, paragraphs 9 to 12 of section A, chapter IV, of the report of the Economic and Social Council should be considered in plenary meeting.

95. The Committee decided to recommend to the General Assembly that paragraphs 9-12 of section A, chapter IV, of the report of the Economic and Social Council should be considered directly in plenary meeting.

96. The Committee decided to recommend that, as at previous sessions, all the chapters of the report of the Special Committee relating to specific Territories should be referred to the Fourth Committee, thus enabling the Assembly to deal in plenary meeting with the question of the implementation of the Declaration as a whole.

97. The Committee decided to recommend to the General Assembly that the special commemorative meeting in observance of the thirtieth anniversary of the Declaration of the Granting of Independence to Colonial Countries and Peoples should be held on Thursday, 11 October in the morning.

98. The Committee decided to recommend that, as at previous sessions, the General Assembly should consider item 34 directly in plenary meeting, on the understanding that the representatives of the Organization of African Unity and of national liberation movements recognized by that organization would be permitted to participate in the discussion in plenary meeting and that organizations and individuals having a special interest in the question would be permitted to be heard by the Special Political Committee.

99. The Committee decided to recommend that, as at previous sessions, the General Assembly should consider item 37 directly in plenary meeting on the understanding that bodies and individuals having an interest in the question would be heard in the Fourth Committee in conjunction with the consideration of the item in plenary meeting.

100. The Committee decided to recommend to the General Assembly that item 44 should be allocated at an appropriate time during the session.

101. The Committee decided to recommend to the General Assembly that the paragraphs of the report of the International Atomic Energy Agency dealing with the subject-matter of item 57 should be brought to the attention of the First Committee in connection with its consideration of that item.

102. The CHAIRMAN noted that the Secretary-General drew the General Committee's attention to resolution 44/209 of 22 December 1989.

103. The Committee decided to recommend to the General Assembly that a plenary meeting should be held on Wednesday, 24 October 1990, to observe the fortieth anniversary of multilateral technical co-operation for development within the United Nations system.

104. The Committee decided, in the light of paragraph 16 of the annex to General Assembly resolution 39/125 of 14 December 1984, to recommend that the annual report of the Administrator of the United Nations Development Programme on the operations, management and budget of the fund should be referred to the Second Committee under item 86 of the draft agenda.

105. The Committee decided to recommend that item 120 should be allocated to the Fifth Committee on the understanding that the report on the United Nations intergovernmental structure and functions in the economic and social fields would be dealt with directly in plenary meeting and that such a decision would in no way prejudge the arrangements to be made for the future consideration of the item.

106. The Committee decided to recommend that item 126 should be allocated to the Fifth Committee on the understanding that the reports of the Joint Inspection Unit dealing with subject-matters assigned to other Main Committees would be referred also to those Committees.

Paragraph 45

Items proposed for consideration in plenary meeting

107. The Committee decided to recommend to the General Assembly that the items proposed for consideration in plenary meeting in the Secretary-General's memorandum, including the observance of the fortieth anniversary of multilateral technical co-operation for development within the United Nations system under sub-item (a) of item 86, and including also items 153, 154, 155 and 157 and excluding item 36, entitled "Judgement of the International Court of Justice of 27 June 1986 concerning military and paramilitary activities in and against Nicaragua: need for immediate compliance", and item 44, entitled "Question of Cyprus", should be allocated to the plenary Assembly.

Items proposed for consideration by the First Committee

108. The Committee decided to recommend to the General Assembly that the items proposed for consideration by the First Committee in the Secretary-General's memorandum should be allocated to that Committee.

Items proposed for consideration by the Special Political Committee

109. Taking into account its decision on the item entitled "Questions of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India", the Committee decided to recommend to the General Assembly that the items proposed for consideration by the Special Political Committee in the Secretary-General's memorandum should be allocated to that Committee.

Items proposed for consideration by the Second Committee

110. The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Second Committee in the Secretary-General's memorandum should be allocated to that Committee.

Items proposed for consideration by the Third Committee

111. The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Third Committee in the Secretary-General's memorandum should be allocated to that Committee.

Items proposed for consideration by the Fourth Committee

112. Taking into account its decision regarding the item entitled "Question of East Timor", the Committee decided to recommend to the General Assembly that the items proposed for consideration by the Fourth Committee in the Secretary-General's memorandum should be allocated to that Committee.

Items proposed for consideration by the Fifth Committee

113. The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Fifth Committee in the Secretary-General's memorandum should be allocated to that Committee.

Items proposed for consideration by the Sixth Committee

114. The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Sixth Committee in the Secretary-General's memorandum, including items 150 and 151 and excluding item 141, should be allocated to that Committee.

115. Mr. PAPADATOS (Greece) said that he supported the recommendation adopted by the Committee with regard to deferral of consideration of item 79 to the forty-sixth session.

The meeting rose at 12.10 p.m.

UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

GENERAL COMMITTEE
2nd meeting
held on
Thursday, 27 September 1990
at 9.15 a.m.
New York

SUMMARY RECORD OF THE 2nd MEETING

Chairman: Mr. de MARCO (President of the General Assembly)

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ADOPTION OF THE AGENDA OF THE FORTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY AND ALLOCATION OF ITEMS (continued)

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM SUBMITTED BY BELIZE

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90-56056 2631S (E)

Distr. GENERAL
A/BUR/45/SR.2
8 October 1990

ORIGINAL: ENGLISH

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The meeting was called to order at 9.25 a.m.

ADOPTION OF THE AGENDA OF THE FORTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY AND ALLOCATION OF ITEMS (continued)

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM SUBMITTED BY BELIZE (A/45/234)

1. The CHAIRMAN drew attention to a request by Belize in document A/45/234 for the inclusion of an item entitled "Technical assistance to Haiti" in the agenda for the forty-fifth session of the General Assembly.

2. In the light of a request from one delegation for additional time to consider the proposal for inclusion of the new item, he suggested that the Committee should defer its consideration of the matter until the following day.

3. It was so decided.

The meeting rose at 9.30 a.m.

UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

GENERAL COMMITTEE
3rd meeting
held on
Friday, 28 September 1990
at 9.15 a.m.
New York

SUMMARY RECORD OF THE 3rd MEETING

Chairman: Mr. de MARCO (President of the General Assembly)

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ADOPTION OF THE AGENDA OF THE FORTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY AND ALLOCATION OF ITEMS (continued)

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM SUBMITTED BY BELIZE (continued)

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Distr. GENERAL
A/BUR/45/SR.3
2 October 1990

ORIGINAL: ENGLISH

90-56044 2613S (E)

The meeting was called to order at 9.20 a.m.

ADOPTION OF THE AGENDA OF THE FORTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY AND ALLOCATION OF ITEMS (continued)

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM SUBMITTED BY BELIZE (continued) (A/45/234)

1. The CHAIRMAN informed the Committee that the representative of Belize had asked to participate in the discussion of the item in accordance with rule 43 of the rules of procedure.

2. At the invitation of the Chairman, Mr. Rogers (Belize) took a place at the Committee table.

3. Mr. ROGERS (Belize) drew the Committee's attention to the letter contained in document A/45/234 and to paragraph 4 of the annex thereto.

4. He noted that a draft resolution similar to that contained in the appendix to the document had been introduced at the forty-fourth session of the General Assembly. His delegation, as the sponsor, wished to revise the title to read "Electoral assistance to Haiti", as a reflection of the views of the Government of Haiti.

5. Mr. SARDENBERG (Brazil) said that his delegation supported Belize's request for the inclusion of the new item, both as an expression of solidarity and in accordance with its policy of supporting the inclusion of new items of legitimate concern to Member States. The item clearly fell within the competence of the Assembly, and was also of concern to the Organization of American States. He hoped that the Assembly would reach a consensus on the legal and financial implications of the item.

6. Mr. ROSENSTOCK (United States of America) said that his delegation supported the inclusion of the item in accordance with its general policy and as a reflection of the role the Assembly should play in the matter. Recognition of the competence of the Assembly did not imply any lack of recognition of the competence of other organs.

7. The Committee decided to recommend that the General Assembly should include the additional item, as revised in the agenda.

8. The Committee decided to recommend to the General Assembly that the item should be considered directly in plenary meeting.

9. Mr. Rogers (Belize) withdrew.

The meeting rose at 9.30 a.m.

UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

GENERAL COMMITTEE
4th meeting
held on
Friday, 9 November 1990
at 9.30 a.m.
New York

SUMMARY RECORD OF THE 4th MEETING

Chairman: Mr. MAVROMMATIS (Vice-President of the General Assembly)

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ADOPTION OF THE AGENDA OF THE FORTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY AND ALLOCATION OF ITEMS (continued)

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM SUBMITTED BY IRAQ

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In the absence of the Chairman, Mr. Mavrommatis (Vice-President of the General Assembly) took the Chair.

The meeting was called to order at 9.45 a.m.

ADOPTION OF THE AGENDA OF THE FORTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY AND ALLOCATION OF ITEMS (continued)

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM SUBMITTED BY IRAQ (A/45/236 and Corr.1)

1. The CHAIRMAN informed the Committee that the representative of Iraq had asked to participate in the discussion of the item in accordance with rule 43 of the rules of procedure.

2. At the invitation of the Chairman, Mr. Mohammed (Iraq) took a place at the Committee table.

3. Mr. MOHAMMED (Iraq) said that the explanatory memorandum submitted by his delegation (A/45/236, annex) set out the reasons for its request for the inclusion of the proposed item in the agenda of the current session of the General Assembly. They were the United States aggression against Iraq and the dangers resulting from the enormous build-up of United States and allied forces, which had occupied territories of the Arabian peninsula and the waters of the Arabian Gulf. The memorandum had reviewed United States efforts to escalate tension in order to launch a devastating war with incalculable political and economic consequences for the region and the world at large. The current tour of the United States Secretary of State to a number of countries demonstrated the reckless desire of that country to provoke an explosion regardless of the dire consequences that would entail. The purpose of the tour was to make further preparations for launching a war against Iraq and to put pressure on other countries to join in that policy and offer their facilities. Proof of that objective was the aggressive agreement announced on 6 November between Saudi Arabia and the United States regarding the command and control of the invading United States forces. That agreement belied initial United States claims that their enormous military presence was only defensive. It had been offensive from the beginning, with the aim of attacking Iraq and gaining full control of the oil fields.

4. Iraq continued to seek a peaceful solution and had taken steps each day to alleviate the tension and move towards peace. First and foremost was President Saddam Hussein's peace initiative of 12 August aimed at resolving the Gulf crisis and all the crises of the region, in particular, the Palestinian issue. The United States Government had not only rejected the Iraqi initiative; it had attempted to thwart all other initiatives, such as the Arab initiatives, and Soviet and French efforts. It had even rejected calls for a peaceful solution. The escalation of tension by the United States made it incumbent upon all peace-loving States to strive to avert a tragic war and encourage Arab and international efforts to achieve a peaceful and just solution to the problems of the region. The inclusion of the proposed item in the agenda of the current

(Mr. Mohammed, Iraq)

session of the General Assembly would further dialogue, serve the cause of peace and justice and help to banish the spectre of war while there was still a chance for peace.

5. He noted the belligerent statement of the Prime Minister of the United Kingdom in the House of Commons on 7 November, in which she clearly threatened to use military force against Iraq. The United States had announced it was dispatching 30,000 United States soldiers from Germany to the Arabian peninsula and that it had completed the preparation of a draft resolution to be submitted to the Security Council authorizing the use of military force against Iraq. That was a gross violation of the purpose and principles of the Charter of the United Nations.

6. His delegation felt that a discussion of the proposed item on a priority basis in recognition of its sensitive nature, would help to create a constructive atmosphere and an international dialogue aimed at reaching a peaceful and just solution.

7. The CHAIRMAN said that the representatives of Kuwait and of Saudi Arabia had asked to participate in the discussion of the item. If he heard no objection, he would take it that the Committee wished to accede to those requests.

8. It was so decided.

9. At the invitation of the Chairman, Mr. Abulhasan (Kuwait) and Mr. Shihabi (Saudi Arabia) took places at the Committee table.

10. Mr. ABULHASAN (Kuwait) noted, after listening to the request of the representative of the Iraqi régime for the inclusion of an additional General Assembly agenda item entitled "United States military concentrations in the Arabian Gulf region: threats to Arab and international peace and security", that the Iraqi representative had described the situation as beginning on 7 August. He asked what the representative of the Iraqi régime thought had occurred between 2 August and 7 August. He wished to draw attention to several points, which the representative of the Iraqi régime had feigned to be unaware of:

11. First, the Iraqi régime had attacked Kuwait in an act of naked aggression, in clear violation of the Charter of the United Nations, the Charter of the League of Arab States, the principles of the Non-Aligned Movement and the Charter of the Islamic Conference. The Security Council had immediately condemned Iraq for its aggression, by a vote of 14 in favour to none against, with 1 abstention, and had demanded that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990, and had called upon Iraq and Kuwait to resolve their differences through negotiation.

12. Secondly, Iraq had rejected in word and in deed Security Council resolution 660 (1990) and had begun massing its armed forces on the border with Saudi Arabia.

13. Thirdly, Iraq had annexed Kuwait on the basis of false claims, which, if unchallenged, would upset the whole world order, the first victim of which would be Iraq itself.

(Mr. Abulhasan, Kuwait)

14. Fourthly, Security Council resolution 662 (1990) considered the annexation of Kuwait null and void. In response to the unprecedented unity of the Arab and Islamic world and the international community in calling for a full and unconditional withdrawal and the restoration of the legitimate Government of Kuwait, the Iraqi aggressor had murdered, tortured, plundered, looted and forced Kuwaitis to emigrate in order to replace them with Iraqis and change the demographic structure of Kuwait.

15. Fifthly, Iraq's disdain for the will of the international community had led to Security Council resolution 665 (1990), which authorized the use of all means, including military means, to ensure implementation of resolution 661 (1990). Resolution 665 (1990) thus legitimized the military presence in the Arabian Gulf.

16. Sixthly, in the face of Iraq's clear intentions, and in accordance with Article 51 of the Charter of the United Nations, Kuwait and some of its partners in the Gulf Co-operation Council had invited Arab, Islamic and friendly forces to defend it and ensure implementation of the relevant Security Council resolutions.

17. Seventhly, the delegation of Iraq had made no mention of the name of Kuwait in its explanatory memorandum. Was Iraq then a peace-loving State which abided by the Charter of the United Nations and Security Council resolutions, and upheld international peace and security?

18. The military presence in the region would come to an end as soon as Iraqi aggression against Kuwait ended and security was restored to the region. The reasons for that presence remained and gave rise every day to large numbers of Kuwaiti victims martyred in the defence of their country. The representative of Iraq would do better to consider the threat to international peace and security constituted by the Iraqi régime's enormous military machine in Kuwait. The invading forces must leave and the rule of law must be restored in Kuwait. For those reasons his delegation opposed the inclusion of the item submitted by the representative of the Iraqi régime; it stood outside the Charter of the United Nations and was against peace.

19. Mr. SHIHABI (Saudi Arabia) said that his delegation supported the statement made by the representative of Kuwait. The explanatory memorandum submitted by Iraq (A/45/235 and Corr.1) was a distortion and an insult to the intelligence of the States Members of the United Nations. It was not the States that had sent forces to resist aggression which posed a threat to peace and security, but, rather, Iraq itself through its occupation of Kuwait. The Committee should condemn and reject the attempt to include the proposed item in the agenda of the General Assembly. The position of his Government was quite clear: Iraq must withdraw from Kuwait, preferably peacefully, and sooner rather than later.

20. Mr. AL-SHAALI (United Arab Emirates) said that as a rule his delegation did not oppose the inclusion of additional items. However, such a request must be in order and conform to legal and procedural rules, in particular those of the Charter of the United Nations. That was not the case with Iraq's request, the purpose of

(Mr. Al-Shaali, United Arab Emirates)

which was to divert attention from the Iraqi aggression against Kuwait. His delegation opposed Iraq's request on a number of grounds.

21. First, the proposed item claimed that the military concentrations constituted a "threat to Arab and international security". If that was so, the appropriate organ of the United Nations according to the Charter of the United Nations was the Security Council and not the General Assembly.

22. Secondly, the proposed item mentioned United States military concentrations in the Gulf region. Those forces had been invited following Iraq's invasion of Kuwait and Iraqi threats to Saudi Arabia and other Gulf States, and their presence was connected with that aggression and the threat to peace and security in the region and the world. Forces from over 20 countries had been invited, all on the basis of the sovereign right of all States which was contained in Article 51 of the Charter of the United Nations.

23. Thirdly, Iraq had requested the inclusion of that item as an additional item under rule 15 of the rules of procedure of the General Assembly, which stipulated that such items should be of an important and urgent character. His delegation saw no urgency since those forces had been present since the Iraqi invasion of Kuwait over three months previously.

24. Mr. HUM (United Kingdom) said that the attempt by Iraq to introduce the proposed new item was nothing other than a perversion of the principles and procedures of the United Nations. The explanatory memorandum referred only to events which had occurred since 7 August 1990, but failed to mention the Iraqi invasion which had taken place five days earlier. The subsequent military deployments had been in direct response to Iraq's invasion, their sole aim being to end Iraq's aggression and its failure to comply with Security Council resolutions.

25. The intent of the Government of Iraq in seeking to introduce the proposed item was quite simply to thwart the Security Council and to set one United Nations organ against another. The fact was that the Security Council had been seized of the matter for three months. For the General Assembly to take action at the same time would be improper and would play into the hands of the Iraqi Government. His delegation opposed inclusion of the proposed new item.

26. Mr. PICKERING (United States of America) said that his delegation had always adopted a liberal policy with regard to the inclusion of agenda items. Yet at times attempts to propose new items were simply tendentious and ill-founded, and such was the case with the Iraqi proposal. The Security Council had determined in resolution 660 (1990) that Iraq was responsible for a breach of international peace and security. Kuwait and Saudi Arabia, in accordance with Article 51 of the Charter, had requested assistance, and the United States, together with a number of other States, had responded, pursuant to Security Council resolutions 661 (1990) and 665 (1990). The situation was under active consideration in the Security Council and any attempt to include the proposed item would fly in the face of the facts of the situation, as determined by the Council. His delegation urged the Committee to reject the Iraqi attempt to distort the truth and undermine the Council's findings.

27. Mrs. DIALLO (Senegal) said that while her delegation respected the right of Member States to propose new items, the Security Council was already seized of the situation between Iraq and Kuwait. Notwithstanding the action taken by the Security Council, Iraq continued to occupy Kuwait in violation of international law and the Charter. The States of the region had, in legitimate defence of their sovereignty, appealed to friendly countries in response to the Iraqi aggression of 2 August 1990. Yet Iraq had chosen to ignore the will of the international community and the risk that hostilities might ensue. It was incumbent upon Iraq to seek a peaceful solution in accordance with the resolutions of the Security Council. Iraq's attempt to introduce a new item did nothing to further that objective. The General Committee should reject the request.

28. Mr. MIKULKA (Czechoslovakia) said that it was well known that the action taken by the United States and other Member States was a direct consequence of Iraq's aggression, and that the Security Council had condemned Iraq and declared its occupation and annexation of Kuwait to be illegal. Member States were bound to implement the Council's resolutions. The military response was, therefore, quite legitimate and fully in accordance with the Charter.

29. The Charter stated that the Assembly should make no recommendation in respect of items before the Security Council unless the Council so requested, and it was for the Council to take responsibility for the maintenance of international peace and security. Inclusion of the proposed item would thus contradict the Charter, and it was clear that the Iraqi proposal was little more than an attempt to undermine Security Council action. His delegation would oppose its inclusion.

30. Mr. ROCHEREAU DE LA SABLIERE (France) said that his delegation was opposed to inclusion of the proposed new item, given that the Security Council was already seized of the matter, and the fact that it was already covered by item 153.

31. Mr. FLORES BERMUDEZ (Honduras) said that it was clear what the background to the situation was. Since the Council was already seized of the matter, his delegation was opposed to inclusion of the proposed new item.

32. Mr. FORTIER (Canada) said that it did not seem that further discussion would lead to an agreed conclusion, given which his delegation wished to move, in accordance with rule 116 of the rules of procedure, that no action should be taken on the Iraqi request.

33. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the Canadian motion under rule 116.

34. It was so decided.

35. Mr. Mohammed (Iraq), Mr. Abulhasan (Kuwait) and Mr. Shihabi (Saudi Arabia) withdrew.

The meeting rose at 10.45 a.m.